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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------------------|------------------------|
| 10/768,045 | 02/02/2004 | Po-Hsing Lee | 9761-000301/US | 6310 |
| 30593 7590 10/03/2007 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195 | | | EXAMINER SANDOVAL, KRISTIN D | |
| | | | ART UNIT 2132 | PAPER NUMBER |
| | | | MAIL DATE 10/03/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/768,045

Applicant(s)

LEE ET AL.

Examiner

Kristin D. Sandoval

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-12 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-12 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 1, 8, 9 and 11:

Applicant recites the limitation of a lessee inputting an encrypted authorization code. It is unclear whether the lessee is manually inputting the encrypted authorization code directly or inputs the encrypted authorization code indirectly, for example by means of some action the lessee inputs, the encrypted authorization code is transmitted to the equipment. The examiner is interpreting the limitation as the latter, the lessee indirectly inputs the encrypted authorization code, because it is unclear how the lessee obtains the encrypted authorization code and depending on it's form, how they input it into the electronic equipment.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 8, 9 and 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnan et al. (Krishnan), U.S. Patent No. 6,073,124 in view of Nakajima et al. (Nakajima), U.S. PG-PUB 2005/0108018:

As per claims 1, 4, 8, 9 and 11:

Krishnan substantially teaches a method of managing a leased software, comprising:
a database unit for storing information pertinent to a lease contract for the electronic equipment between a lessor and a lessee (11:29-45); and

a processor unit coupled electrically to said database unit and generating an encrypted authorization code associated with the lease contract (8:59-9:23, 9:64-10:13);

(a) during initial activation of the electronic equipment, allowing a lessee to input an encrypted authorization code associated with a lease contract for the electronic equipment between a lessor and the lessee, the authorization code containing a contract starting date and an equipment disable date associated with the lease contract and a serial number (8:59-9:23, 9:64-10:13, 20:1-39, 20:10);

(b) decrypting the authorization code inputted by the lessee according to a decryption algorithm (10:14-40);

(c) enabling further operation of the electronic equipment when a current activation date of the electronic equipment is within an equipment enable period that starts from the contract starting date and that ends at the equipment disable date (18:45-63); and

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(d) disabling further operation of the electronic equipment when the current activation date is not within the equipment enable period (18:45-63).

Krishnan fails to disclose the rental system pertaining to electronic equipment. However, Nakajima discloses renting out electronic equipment. It would have been obvious to substitute renting software, as disclosed in Krishnan, with renting electronic equipment as disclosed in Nakajima since it would still yield a predictable result.

4. Claims 2, 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnan in view of Nakajima as applied to claim 1 above, and further in view of Colosso, U.S. Patent No. 6,169,976.

As per claims 2 and 3:

Krishnan and Nakajima fail to disclose repeatedly inputting the authorization code for a predetermined number of times. However, Colosso teaches allowing a user a second chance to enter authentication information when a bad encryption key is discovered (15:45-60).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to apply the known technique of allowing user's another attempt at inputting authentication information if the previous attempt fails, as taught by Colosso, in order to improve upon the inventions of Krishnan and Nakajima.

5. Claim 5-7, 10 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnan in view of Nakajima as applied to claim 1 above, and further in view of Brandt et al. (Brandt), U.S. Patent No. 5,758,068.

As per claims 5-7:

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Krishnan and Nakajima fail to disclose a reminder and grace period and when the time is within the reminder period, sending a reminder message to the user and when in the grace period, allowing the user to input another authorization code. However, Brandt discloses a reminder and grace period where the user has the choice to renew after the grace period (8:31-9:20).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to apply the known technique of allowing a grace period for a rented piece of equipment, as disclosed in Brandt, to improve the inventions of Krishnan and Nakajima.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristin D. Sandoval whose telephone number is 571-272-7958. The examiner can normally be reached on Monday - Friday, 8:00-5:30.

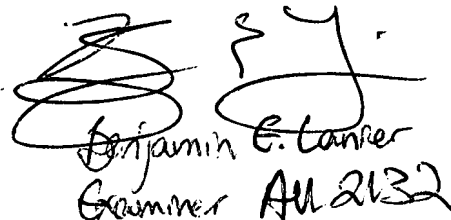
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kristin D Sandoval
Examiner
Art Unit 2132

KDS



Benjamin E. Carter
Examiner AU 2132